

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

NELASH DAS,

Defendant

CRIMINAL NO. GJH-16-502

2019 JAN 28 A 8:52

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BY JL REBURY

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PROPOSED ORDER

Upon consideration of the Government's Motion to Determine Mental Competency (ECF No. 75) and Motion for Psychiatric or Psychological Examination, this Court finds that there is reasonable cause to believe that the Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. *See* 18 U.S.C. § 4241(a). Thus, on this 25th day of January, 2019, by the United States District Court for the District of Maryland, pursuant to 18 U.S.C. § 4241(a) and (b) and § 4247(b) and (c), it is hereby ORDERED that:

1. The Government's Motions are GRANTED;
2. Pursuant to 18 U.S.C. § 4247(b), the Court having concluded that a custodial examination is necessary, the Defendant shall be committed to the custody of the Attorney General for placement in a suitable facility for a reasonable period of time not to exceed 30 days for purposes of the examination pursuant to 18 U.S.C. § 4241(a), except that, upon a showing of good cause that additional time is necessary to observe and evaluate the Defendant, the director of the facility may apply for a reasonable extension not to exceed 15 days under 18 U.S.C. § 4241;

3. Pursuant to 18 U.S.C. §§ 4241(b) and 4247(b), a psychiatric or psychological examination of the Defendant shall be conducted by the first available licensed or certified psychiatrist or psychologist qualified to conduct such an examination;
4. Pursuant to 18 U.S.C. §§ 4241(b) and 4247(b), a psychiatric or psychological report shall be filed with the Court under seal, with copies provided to defense counsel and the Government, which report shall comply with the requirements set forth in 18 U.S.C. § 4247(c) and shall include: (1) the Defendant's history and present symptoms; (2) a description of the psychiatric, psychological, and medical tests that were employed and their results; (3) the examiner's findings; and (4) the examiner's opinion as to diagnosis, prognosis, and whether the Defendant is suffering from a mental disease or defect, rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense;
5. Upon the completion of the psychiatric or psychological evaluations ordered herein, and within 30 days of the filing and receipt by the parties of the report of examination, a hearing will be held in accordance with 18 U.S.C. § 4247(d); and
6. The hearing scheduled for February 11, 2019, is cancelled. Counsel will contact my chambers to schedule the date of the hearing after receipt of the psychiatric or psychological report of examination.

1/25/2019
Date


Hon. George J. Hazel
United States District Judge